



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: **December 14, 2007**
Comment Deadline: **January 11, 2008**
Corps Action ID #: SAW-2007-3531-384

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation, Project Development and Environmental Analysis Branch, Attn: Dr. Gregory J. Thorpe, Director, seeking Department of the Army authorization to impact 948 linear feet of stream channel and 0.19 acres of open water pond in and adjacent to Rock Creek and unnamed tributaries associated with the proposed relocation of US Highway 52 from a point approximately 0.5 miles north of SR 1785 (Johns Road) to the intersection with NC 24-27 at Albemarle, Stanly County, North Carolina, TIP No. R-2320G, State Project No. 8.1680401.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: North Carolina Department of Transportation
Project Development and Environmental Analysis Branch
Dr. Gregory J. Thorpe
1598 Mail Service Center
Raleigh, NC 27699-1598

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act (33 U.S.C. 1344).

Location

The proposed project involves the relocation of approximately 3.5 miles of US Highway 52 from a point north of Johns Road on the south to the intersection of NC 24-27 on the north just south of City of Albemarle, North Carolina. The southern portion of the project (approximately 2.9 miles) will be on new location and the northern portion (approximately 0.6 miles) will involve the widening of NC Highway 138. The project will cross Rock Creek and three unnamed tributaries. The project is located in the central portion of Stanly County at approximately 35.3199 degrees north latitude and 80.1915 degree west longitude and is in the Yadkin River Basin, Hydrologic Unit 03040105.

Existing Site Conditions

The proposed work will relocate approximately 3.5 miles of US Highway 52 to the west of its existing location. The only named stream in the project area is Rock Creek (Site 2), a perennial stream that flows north to Poplin Creek. Rock Creek is 5 to 10 feet wide in the project area, has a substrate of boulder, cobble and gravel and a forested, closed canopy. The project will also cross two unnamed, intermittent tributaries to Rock Creek (Sites 3 and 4) and one small pond (.019 acres) in the headwaters of the drainage basin (Site 1). The tributary streams are 2 to 4 feet wide with cobble and gravel substrates and open canopies. No wetland areas will be affected by the proposed project. The Federal Highway Administration (FHWA) and the NC Department of Transportation completed an Environmental Assessment (EA) of the proposed work, designated as TIP No. R-2320G on November 27, 2000 and a Finding of No Significant Impact (FONSI) on March 12, 2003. An Indirect and Cumulative Effects Assessment for TIP R-2320G was completed on March 22, 2005. These documents further detail existing site conditions in the project area.

Applicant's Stated Purpose

The purpose of the proposed work is to connect two sections of US 52 that are separated by approximately 0.25 miles of NC 24-27-73. Other factors contributing to the need for the project are capacity and safety. The proposed work eliminates turning movements between US 52 and NC 24-27-73 that are required by the current separation of US 52 by NC 24-27-73, increases the capacity of the highway and improves safety for roadway users.

Project Description

The applicant proposes to relocate 3.5 miles of the existing two lane highway to the west of the existing location. Two typical sections will be used. The northern portion of the project along NC 138 will consist of a five-lane, curb and gutter section with sidewalks on each side of the roadway. The southern portion of the project on new location will consist of a four-lane, divided section with a 46-foot grassed median. The five-lane section will require a minimum right-of-way width of 100 feet. The four-lane divided highway will require a minimum right-of-way of 200 feet. In order to construct the new roadway, the applicant proposes to discharge dredged or fill material into a total of 948 linear feet of stream channel and 0.19 acres of open water pond at 4 locations. Pond impacts at Site 1 will result from roadway fill on the new location portion of the project. Stream channel impacts will result from new culvert construction or replacement. Channel impacts range from 65 feet at Site 4 to 414 feet at Site 3 to 469 feet at Site 2 on Rock Creek. Temporary stream impacts totaling 0.03 acres will result from temporary cofferdams and stream diversions. The referenced EA and FONSI provide additional information on project description and impacts. The applicant proposes to mitigate for stream channel impacts through payment to the NC Ecosystem Enhancement Program at a 1:1 ratio. Plans showing the proposed work are included with this public notice.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality Certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, Transportation Permitting Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260 Attention: Mr. John Hennessy by December 31, 2007.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area and examined all information provided by the applicant. The FHWA and the applicant have determined that the proposed work may effect but is not likely to adversely affect the Federally endangered Schweinitz's sunflower. Consultation under Section 7 of the Endangered Species Act of 1973 between the FHWA and the US Fish and Wildlife Service has been concluded. The FHWA and the applicant have determined that the proposed project will have no effect on any other federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use,

navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

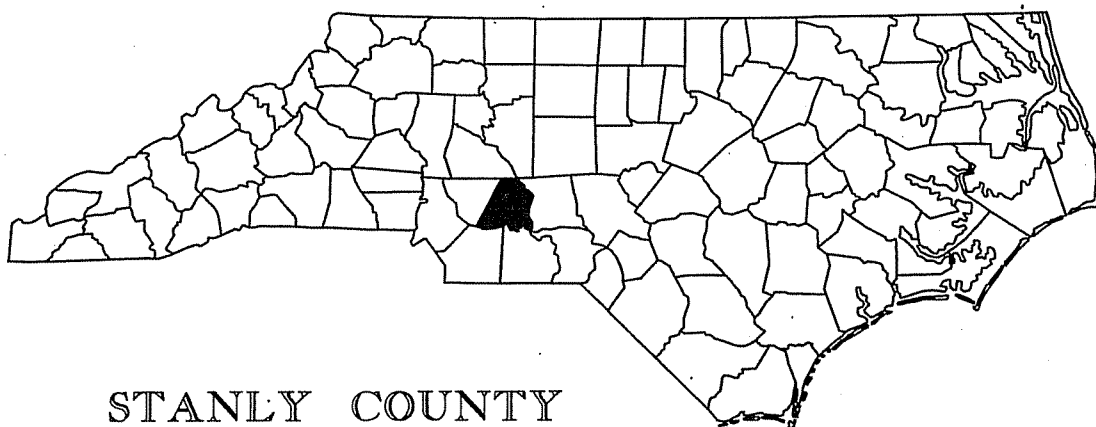
Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

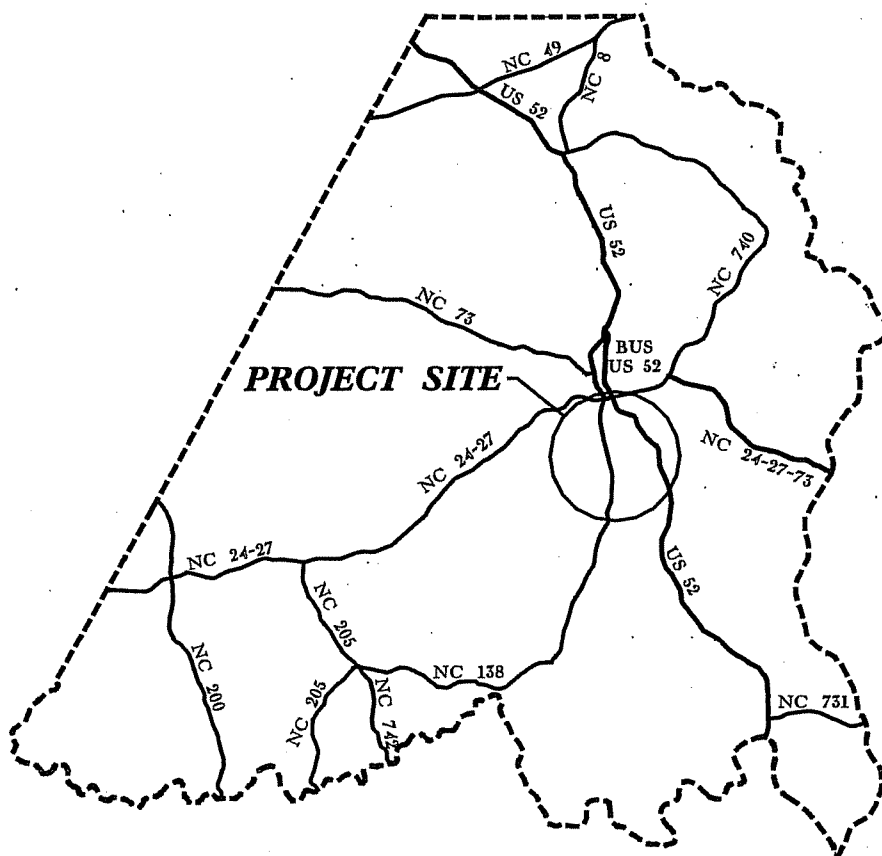
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, January 11, 2008. Comments should be submitted to Mr. Steven Lund, US Army Corps of Engineers, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006, telephone (828) 271-7980, ext. 223.

NORTH CAROLINA



STANLY COUNTY



WETLAND & SURFACE WATERS

VICINITY MAP

NCDOT

DIVISION OF HIGHWAYS
STANLY COUNTY

PROJECT: 34422.1.1 (R-2320G)

US 52 EXT. - ALBEMARLE

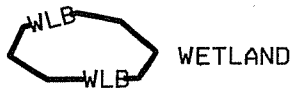
FROM US 52, NC 73, NC 24-27 & NC 138
TO SR 1785

Permit Drawing
Sheet 1 of 10
SHEET 1 OF 10

7 // 27 // 07

WETLAND LEGEND

— WLB — WETLAND BOUNDARY



DENOTES FILL IN WETLAND

DENOTES PERMANENT SURFACE WATER IMPACT

DENOTES PERMANENT SURFACE WATER IMPACT (POND)

DENOTES TEMPORARY FILL IN WETLAND

DENOTES EXCAVATION IN WETLAND

DENOTES TEMPORARY SURFACE WATER IMPACT

DENOTES MECHANIZED CLEARING

→ → → FLOW DIRECTION

— TB — TOP OF BANK

— WE — EDGE OF WATER

— C — PROP. LIMIT OF CUT

— F — PROP. LIMIT OF FILL

PROP. RIGHT OF WAY

— NG — NATURAL GROUND

— PL — PROPERTY LINE

— TDE — TEMP. DRAINAGE EASEMENT

— PDE — PERMANENT DRAINAGE EASEMENT

— EAB — EXIST. ENDANGERED ANIMAL BOUNDARY

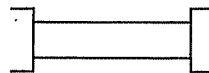
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WATER SURFACE

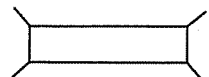
LIVE STAKES

BOULDER

— COIR FIBER ROLLS



PROPOSED BRIDGE



PROPOSED BOX CULVERT



PROPOSED PIPE CULVERT

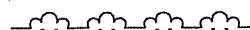
(DASHED LINES DENOTE EXISTING STRUCTURES)

12"-48" PIPES

54" PIPES & ABOVE



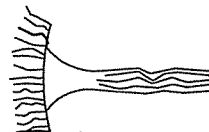
SINGLE TREE



WOODS LINE



DRAINAGE INLET



ROOTWAD



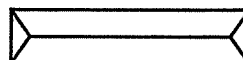
RIP RAP



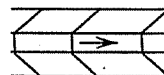
ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE



PREFORMED SCOUR HOLE



LEVEL SPREADER (LS)



DITCH / GRASS SWALE

NCDOT

DIVISION OF HIGHWAYS

STANLY COUNTY

PROJECT: 34422.1.1 (R-2320G)

US 52 EXT. - ALBEMARLE

FROM US 52, NC 73, NC 24-27 & NC 138
TO SR 1785

Permit Drawing
Sheet 3 of 10

SHEET ~~5~~ OF ~~14~~

7 / 27 / 07

[illegible]

Permit Drawing
Sheet 4 of 10

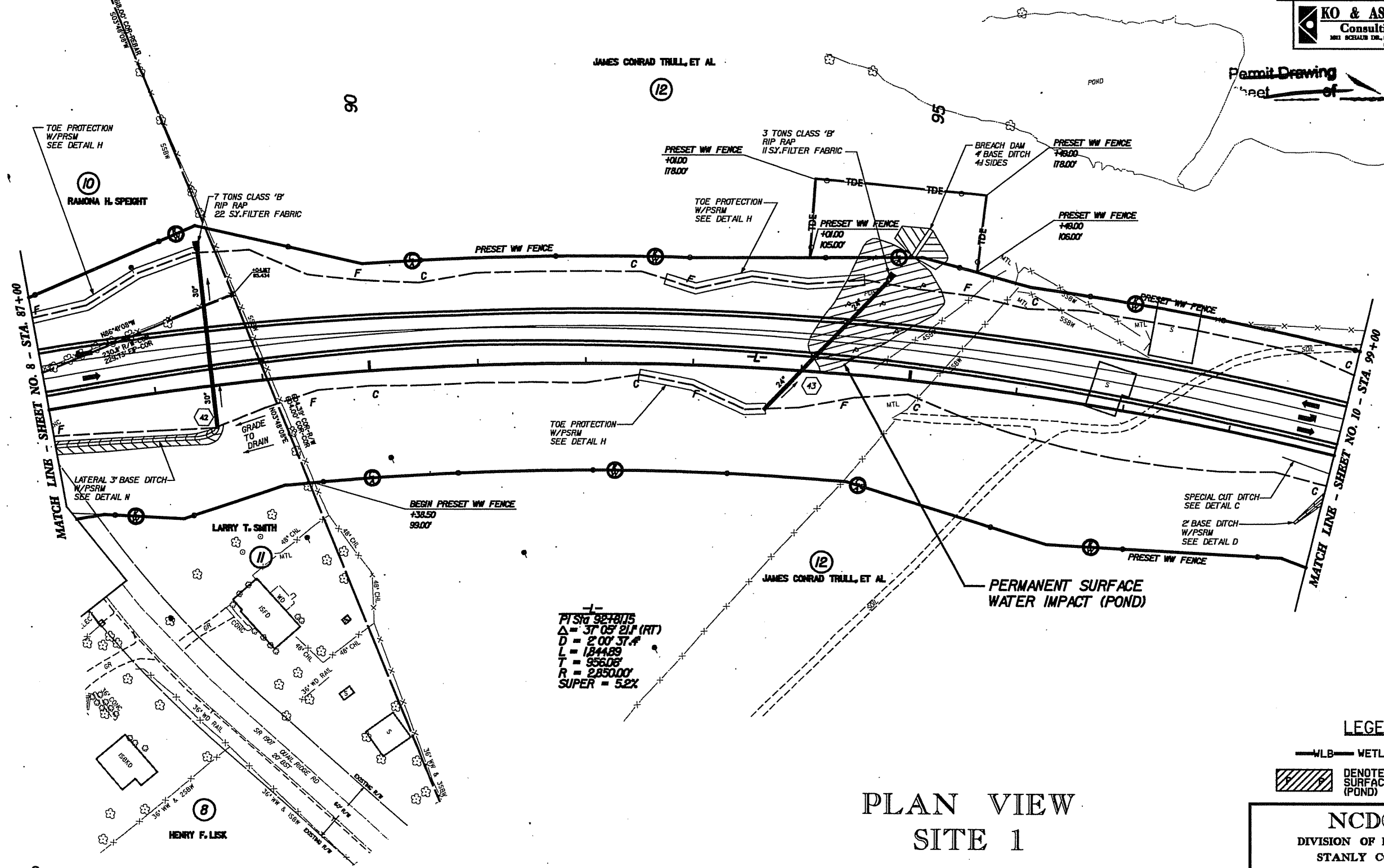
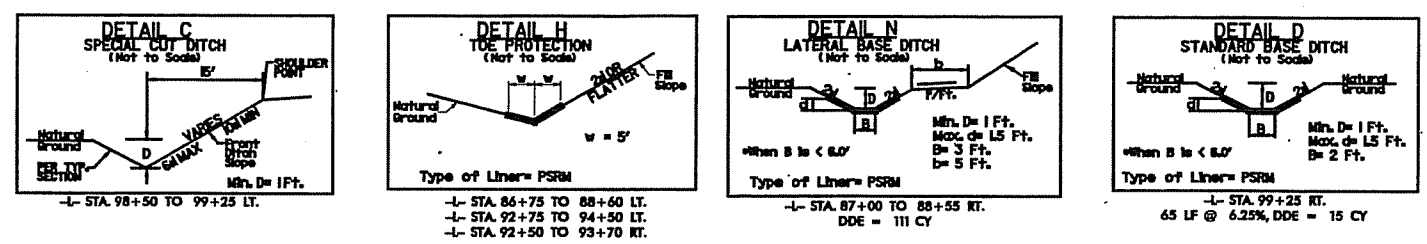
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

STANLY COUNTY
PROJECT: 34422.1.1 (R-2320G)

ATN Revised 3/31/05

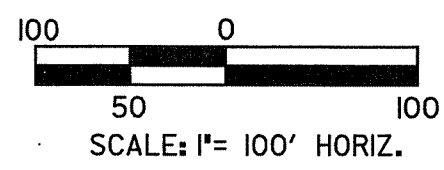
7/27/2007

PROJECT REFERENCE NO. R-2320G		SHEET NO. 9	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			
KO & ASSOCIATES, P.C. Consulting Engineers <small>1001 SCHAUB DR., SUITE 200 BALDWIN, NC 27006 (919) 863-8864</small>			



P/Sig 92+8175
 $\Delta = 37' 05" 21.1' (RT)$
 $D = 2' 00" 37.4'$
 $L = 184489$
 $T = 956.06'$
 $R = 2850.00'$
 SUPER = 5.2%

PLAN VIEW SITE 1



SEE SHEET NO. 27 FOR -L- PROFILE

LEGEND

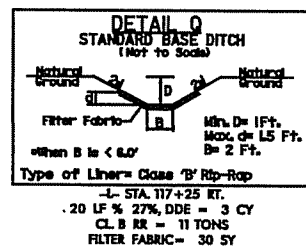
- WLB WETLAND
- DENOTES IMPACTS IN SURFACE WATER (POND)

NCDOT

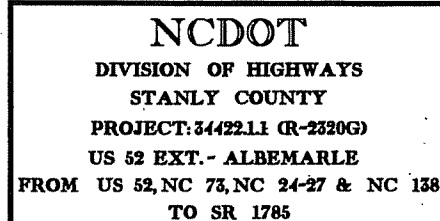
DIVISION OF HIGHWAYS
STANLY COUNTY

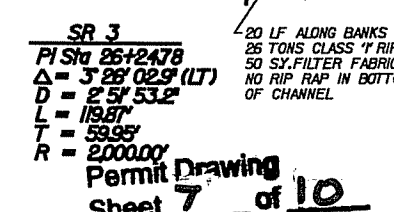
PROJECT: 34422.11 (R-2320G)
US 52 EXT. - ALBEMARLE
FROM US 52, NC 73, NC 24-27 & NC 138
TO SR 1785

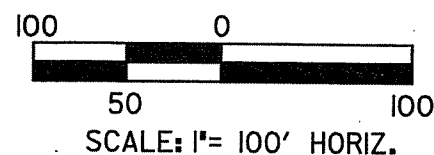
Permit Drawing
Sheet **5** of **10**



ENGLISH







DATE	DESCRIPTION	AMOUNT	BALANCE
5/10/05	R/W Revision	Added Parcel 14A with Owner	

DETAIL 0
LATERAL BASE DITCH
 (Not to Scale)

Natural Ground
 Filter Fabric
 Min. D = 1 Ft.
 Max. D = 1.5 Ft.
 B = 2 Ft.
 S = 5 Ft.

Type of Liner = Close 'B' Rip-Rap

-Y4- STA. 9+05 TO 12+35 RT.
 -Y4- STA. 9+35 TO 12+55 RT.

PLAN VIEW
SITE 4

Permit Drawing
Sheet 8 of 10

LEGEND

~~WLB~~ WETLAND

 DENOTES TEMPORARY
SURFACE WATER IMPACT

DENOTES PERMANENT SURFACE WATER IMPACT

NCDOT

DIVISION OF HIGHWAYS STANLY COUNTY

PROJECT: 34422.11 (R-2320G)

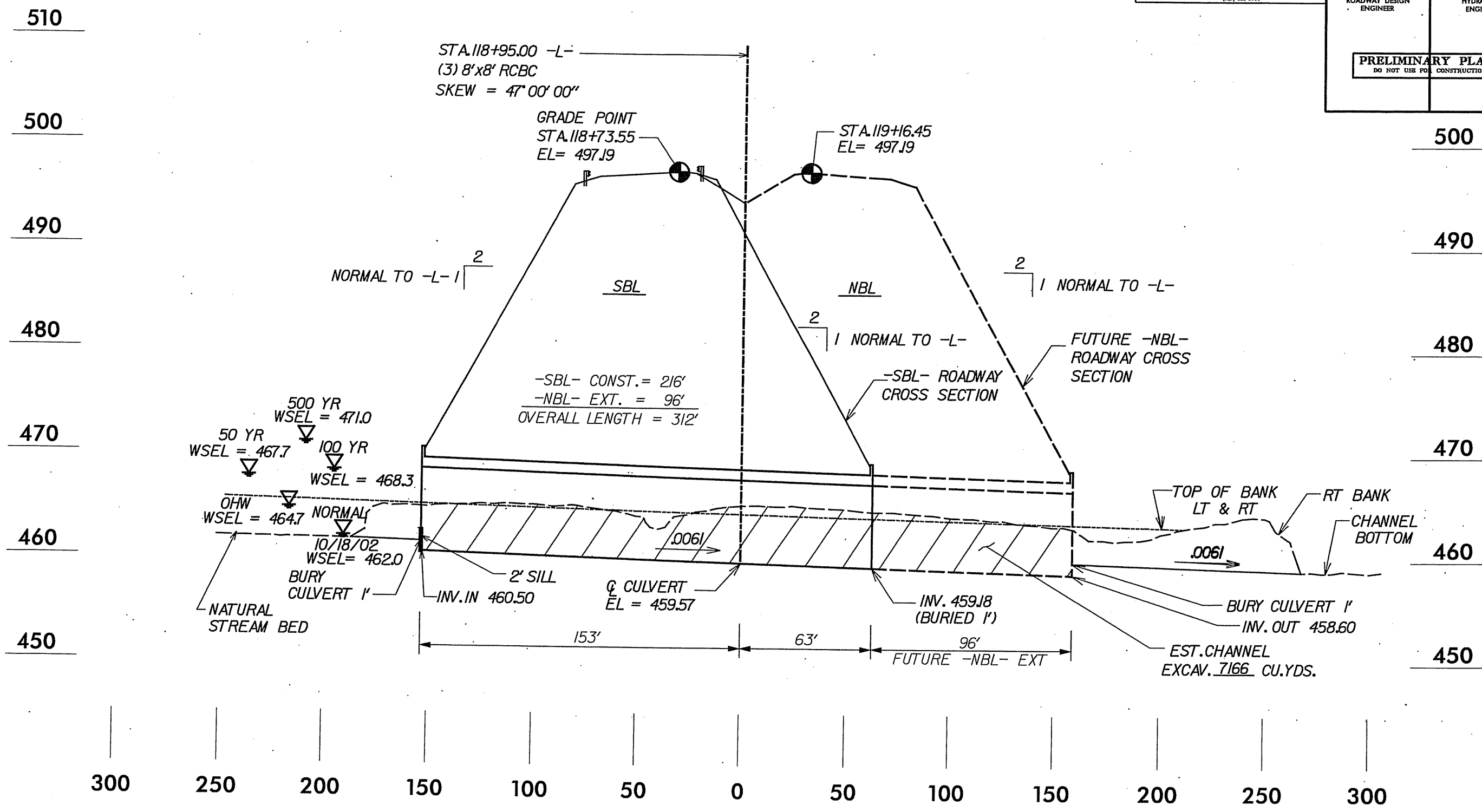
US 52 EXT.- ALBEMARLE

FROM US 52, NC 73, NC 24-27 & NC 138
TO SR 1785

~~SHEET 10 OF 14~~

7 / 27 / 07

SEE SHEET NO. 35 FOR -Y4- PROFILE



PROFILE ALONG STRUCTURE
SITE 2

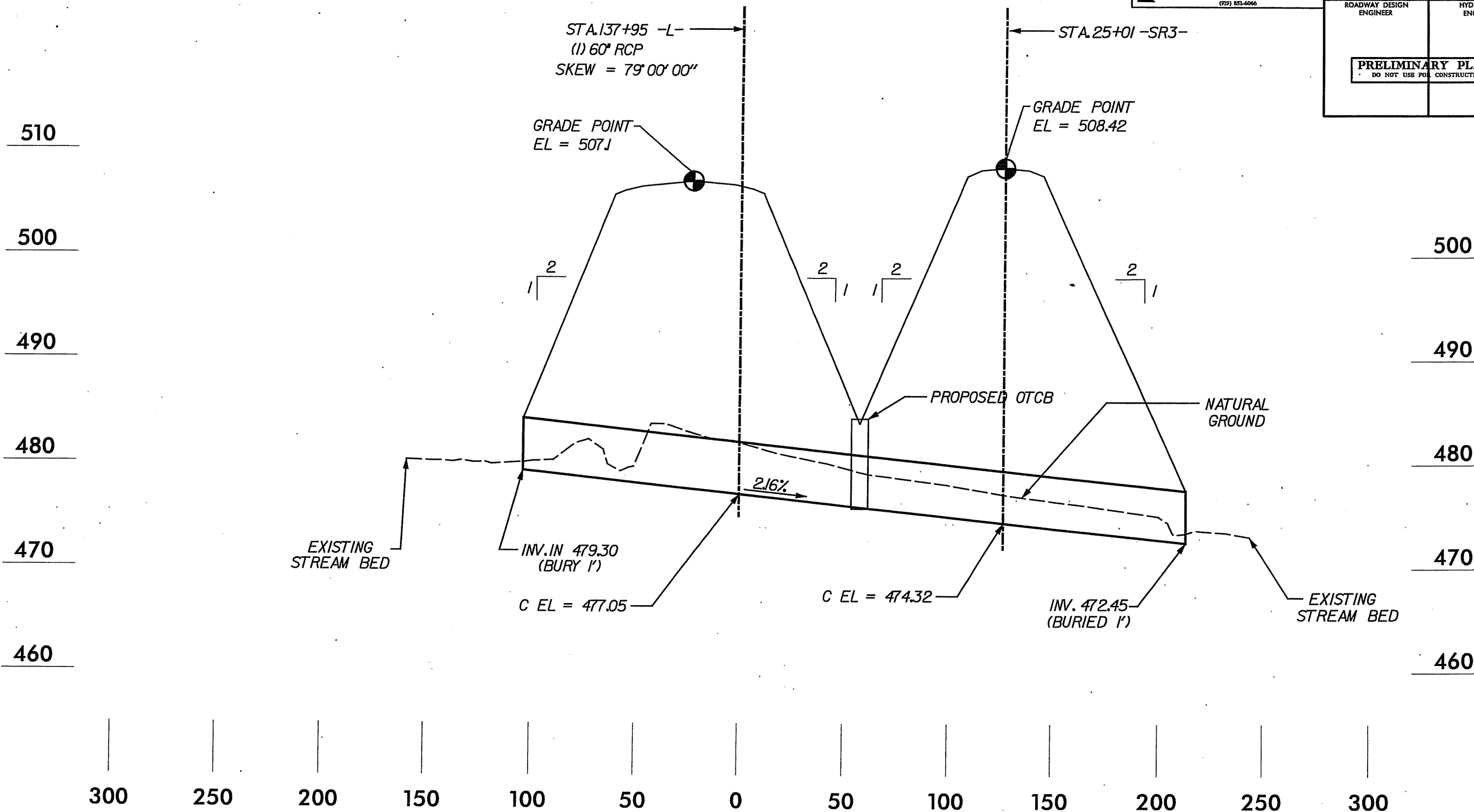
SCALE:
 1" = 50' HORIZONTAL
 1" = 10' VERTICAL

Permit Drawing
 Sheet **9** of **10**

NCDOT
 DIVISION OF HIGHWAYS
 STANLY COUNTY
 PROJECT: 34422.1.1 (R-2320G)
 US 52 EXT. - ALBEMARLE
 FROM US 52, NC 73, NC 24-27 & NC 138
 TO SR 1785

7/27/07

8/17/99
 7/30/2007
 R:\Hydraulics\Permits\R-2320_hyd.prm-profile SITE2.dgn
 KO & ASSOCIATES, P.C.



PROFILE ALONG STRUCTURE
SITE 3

SCALE:

1" = 50' HORIZONTAL
 1" = 10' VERTICAL



NCDOT
 DIVISION OF HIGHWAYS
 STANLY COUNTY
 PROJECT: 34422.11 (R-2320G)
 US 52 EXT. - ALBEMARLE
 FROM US 52, NC 73, NC 24-27 & NC 138
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Permit Drawing
 Sheet **10** of **10**